An Affiliate of Amalgamated Life

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## VIA ECF AND FIRST CLASS MAIL

Honorable Lois Bloom United States Magistrate Judge United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

> Re: Lucille Chance -v.- Laundry, Dry Cleaning Workers and

Allied Industries Retirement Fund – 08-CV-4843 (KAM) (LB)

Dear Judge Bloom:

We represent the Laundry, Dry Cleaning Workers and Allied Industries Retirement Fund, defendant in the above-referenced action.

Joined by Toby Golick, Esq., counsel for plaintiff, we are writing to advise the Court that the parties have concluded a settlement of the claims underlying the action. As part of the resolution of the action, defendants electronically filed a Stipulation of Voluntary Dismissal with prejudice with the Court on October 30, 2009. Enclosed is a courtesy copy of the Stipulation of Voluntary Dismissal.

As a result of the settlement and the filing of the Stipulation of Voluntary Dismissal, the parties respectfully request a cancellation of the conference scheduled for 2:00 p.m. on November 10, 2009.

The Court's considerations are appreciated.

Respectfully submitted,

David C. Sapp (DS5781)

Enclosure

cc: Honorable Kiyo A. Matsumoto Toby Golick, Esq.

crence on 11/10/09 is

denied.

Lois Bloom, U.S.M.J.

/S/

Dated: //

Brooklyn, New York

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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	
LUCILLE CHANCE,	08-CV-4843(KAM)(LB)
Plaintiff,	) 
LAUNDRY, DRY CLEANING WORKERS ) AND ALLIED INDUSTRIES RETIREMENT ) FUND, UNITE HERE! successor by merger ) with the AMALGAMATED COTTON ) GARMENT AND ALLIED INDUSTRIES ) RETIREMENT FUND,	STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE
Defendant.	

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-captioned action, by and through their respective counsel, that the above-captioned action is hereby voluntarily dismissed with prejudice pursuant to Federal Rule of Civil Procedure

41(a)(1)(A)(ii), and with each party to bear their own costs and fees.

Dated: October 28, 2009

LUCILLE CHANCE, Plaintiff

AND

Toby Golick (TG

Attorney for Plaintiff Bet Tzedek Legal Services Cardozo School of Law 55 Fifth Avenue New York, New York 10003 (212) 790 - 0240 LAUNDRY, DRY CLEANING WORKERS AND ALLIED INDUSTRIES RETIREMENT FUND, UNITE HERE! successor by merger with the AMALGAMATED COTTON GARMENT ALLIED INDUSTRIES RETIREMENT FUND, Defendant

David C. Sapp (DS5781)

Attorney for Defendant Amalgamated Life Insurance Company 333 Westchester Avenue North Building – Second Floor White Plains, New York 10604 (914) 367 - 5576